

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 32

November 23, 2010

SUBJECT: ADMINISTRATIVE REVIEW OF A VEHICLE PURSUIT; AND
TIMELINE FOR COMPLETION OF TRAINING DIRECTED AS THE
RESULT OF A VEHICLE PURSUIT

EFFECTIVE: IMMEDIATELY

PURPOSE: This Order transfers the administrative review and adjudication of vehicle pursuits to the Commanding Officer, Counter-Terrorism and Special Operations Bureau, and establishes a timeline for officers to complete training directed as a result of a vehicle pursuit. A recent inspection by Internal Audits and Inspections Division revealed a need to ensure timely administrative review and documentation of training directed as a result of a pursuit.

PROCEDURE: Attached are the revised Department Manual sections regarding the administrative review and adjudication of vehicle pursuits and the timeline for the completion of training directed as the result of a vehicle pursuit, with the revisions indicated in italics.

AMENDMENTS: This Order amends Sections 3/201.05, 3/201.10, 3/201.15, 3/201.20, 3/201.25, 3/201.30, and 3/201.35; and deletes Section 3/201.16 from the Department Manual.

MONITORING RESPONSIBILITY: The Commanding Officer, Counter-Terrorism and Special Operations Bureau, shall have monitoring responsibility for this directive.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



CHARLIE BECK
Chief of Police

Attachment

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**DEPARTMENT MANUAL
VOLUME III
Revised by Special Order No. 32, 2010**

201 ADMINISTRATIVE REVIEW AND ADJUDICATION OF A VEHICLE PURSUIT

201.05 COMMANDING OFFICER'S RESPONSIBILITY. The commanding officer (CO) from the Area or division to which the pursuing officers are assigned shall:

- Review all related reports and evidence;
- Request the investigating supervisor conduct further investigation, when needed;
- Contact subject matter experts (e.g., Emergency Vehicle Operations Center; Training Division; *Pursuit Review Unit; etc.*), if necessary;
- Consider the details surrounding a vehicle intervention when making a recommendation on the classification;
- Sign the Vehicle Pursuit Report;
- Forward all related reports to the bureau commanding officer *within 20 calendar days* of the pursuit;
- Notify the involved employee of the *final pursuit classification*;
- *Comply with procedures detailed in Manual Section 3/201.25, Training/Documentation as a Result of a Vehicle Pursuit, if training is directed in the pursuit classification.*

201.10 BUREAU COMMANDING OFFICER'S RESPONSIBILITY. The bureau commanding officer shall:

- Review all related reports and, if necessary, evidence;
- Request, through the employee's commanding officer, additional information or investigation, when needed;
- Consider the details surrounding a vehicle intervention when making a recommendation on the classification;
- Sign the Vehicle Pursuit Report; and,
- Submit all related reports to *the CO, Emergency Operations Division (EOD)*, for review *within 20 calendar days* of receipt.

201.15 COMMANDING OFFICER, COUNTER-TERRORISM AND SPECIAL OPERATIONS BUREAU RESPONSIBILITIES. *The Commanding Officer, Counter-Terrorism and Special Operations Bureau (CTSOB), has the final review and adjudication authority of all vehicle pursuits and may delegate that authority to the CO, EOD, for pursuits that are in policy and do not conflict with the bureau commanding officer's classification. The CO, CTSOB, shall be the final review authority for all pursuits that are classified as out of policy and/or pursuits with a final classification that conflicts with the bureau CO classification.*

Should the final classification of a pursuit differ from the classification by the bureau commanding officer, the CO, CTSOB, shall forward Intradepartmental Correspondence, Form 15.02.00, to the employee's commanding officer, via the employee's bureau commanding officer, providing a rationale for that final classification.

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**201.20 COMMANDING OFFICER, EMERGENCY OPERATIONS DIVISION
RESPONSIBILITIES.** *The CO, EOD, shall:*

- *Review the Vehicle Pursuit Report to determine compliance with Department policy and procedure;*
- *Request, through the employee's bureau commanding officer, additional information or investigation, when needed;*
- *Review each application of pursuit intervention for appropriateness;*
- *Make the final determination on the classification of the pursuit within 30 calendar days of receipt of the vehicle pursuit for adjudication;*

Note: *An additional 30 calendar days will be granted to determine the final pursuit classification if additional information or investigation is needed and is documented in the pursuit case file maintained by the Pursuit Review Unit, EOD.*

- *Notify the concerned bureau, Area and division commanding officers of the vehicle pursuit's final classification within 14 calendar days;*
- *Maintain the original Vehicle Pursuit Report and other pursuit-related documents, and distribute a copy to Training Division; and,*
- *Maintain a system to track and report pursuit-related issues.*

Should the final classification of a pursuit be out of policy and/or differ from the classification by the bureau commanding officer, the CO, EOD, shall forward the pursuit to the CO, CTSOB, for adjudication.

Special Files. *The CO, EOD, shall compile the following data to address future civil liability issues including, but not limited to, the following topics:*

- *The number of pursuit interventions attempted;*
- *The number of suspects, officers and third parties injured or killed;*
- *The number of unintentional traffic collisions that resulted;*
- *The number of pursuits in which training was recommended as the result of a pursuit intervention; and,*
- *The number of pursuits classified as "out of policy."*

201.25 TRAINING/DOCUMENTATION AS A RESULT OF A VEHICLE PURSUIT.

When notified that training is directed, the Area/division commanding officer shall ensure that training is completed within 90 calendar days of notification. If formal training is directed, the training shall be provided by an entity designated in the classification. All other types of training (e.g., divisional training) may be provided at the Area/divisional level. Upon completion of the directed training by the involved officer, the Area/division commanding officer shall ensure that the training is entered into the Learning Management System (LMS) along with the corresponding reference number, which is generally a Division of Records (DR) number, and notify the CO, EOD, regarding the date the training was completed, along with a copy of the officer's LMS report documenting the completion of training.

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201.30 PURSUITS CLASSIFIED AS OUT OF POLICY. *If the CO, EOD, determines that a vehicle pursuit is out of policy, he/she shall obtain concurrence from the CO, CTSOB. If approved, the CO, EOD, shall direct the involved employee's commanding officer to initiate a Complaint Form, Form 01.28.00. A copy of the Vehicle Pursuit Report shall be attached to the complaint investigation and the original Vehicle Pursuit Report shall note that a complaint investigation has been initiated. Upon final adjudication of the complaint, the Commanding Officer, Internal Affairs Group, shall notify the CO, EOD, of the disposition.*

201.35 MULTIPLE RISK MANAGEMENT INCIDENTS. *When multiple risk management issues are involved as result of more than one related incident (i.e., pursuit, traffic collision, use of force, and/or a personnel complaint) **and** adjudication is interdependent, the reviewing authority shall ensure any relevant information from the multiple incidents is considered when completing the adjudication of each incident.*